

REMARKS

Please reconsider this application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-15 are pending in this application. Claims 1, 9, and 11 are independent. Claims 2-8 and 12-13 depend, directly or indirectly, from claim 1. Claims 10 and 14 depend directly from claim 9. Claim 15 depends directly from claim 11.

Amendments to the Claims

Claims 1 and 11 were amended to incorporate the allowable limitation of claim 2. Claim 4 was amended to take independent form and include the limitations of the base claim 1. No new matter has been added by way of these amendments.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 2-5 contain allowable subject matter. By way of this reply, claims 1 and 11 were amended to incorporate the allowable limitation of claim 2. Claim 4 was amended to recite all of the limitations of the original base claim 1. Accordingly, Applicant believes that claims 1, 4, and 11 are in condition for allowance. Dependent claims 3, 5-8, 12-13, and 15 are also in condition for allowance for at least the same reasons.

New Claims

New claim 16 was added to include the patentable limitation of claim 4 with the limitations of original claim 11. Claim 17 was added to depend from claim 4 and recite a

limitation analogous to original claim 9. As discussed above, Applicant believes claim 4 is in condition for allowance. Because claims 16 and 17 both include the patentable limitation of claim 4, Applicant believes claims 16 and 17 are also in condition for allowance.

Objections to Specification

The filed abstract was objected to for not commencing on a separate sheet of paper in compliance with 37 C.F.R. § 1.52. By way of this reply, a new abstract is filed on a separate sheet of paper, apart from any other text. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. § 101

Claims 1-8 and 12-13 stand rejected under 35 U.S.C. § 101 for being directed towards non-statutory subject matter. Specifically, the Examiner asserts that the claims fail to produce a tangible result. By way of this reply, independent claim 1 has been amended to recite "outputting the position calculated," thereby producing a tangible result. Dependent claims 2-8 and 12-13 now produce a tangible result for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 9-10 and 14 stand rejected under 35 U.S.C. § 101 for being directed towards non-statutory subject matter. Specifically, the Examiner asserts that the claims are drawn to a computer program per se, without being embodied on a computer readable medium. By way of this reply, claim 9 has been amended to recite "a computer program with a program code stored on a computer readable medium." Accordingly, withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 1 and 6-15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,289,282 ("Hassler"). To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

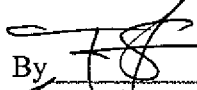
As discussed above, claims 1 and 11 have been amended to incorporate the allowable subject matter of claim 2. Thus, claims 1 and 11 are patentable over Hassler. Dependent claims 3, 6-8, 12-13, and 15 are patentable for at least the same reasons as claims 1 and 11. Further, claim 9 recites the method according to claim 1 and, thus, is also patentable over Hassler. Dependent claims 10 and 14 are patentable for at least the same reasons as claim 9. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 17275/002001).

Dated: October 9, 2007

Respectfully submitted,

By  #45,079
Jonathan P. Osha ~~THOMAS SCHERER~~
Registration No.: 33,986
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)
Attorney for Applicant